

HOUSE BILL ANALYSIS

HB 2903

Title: An act relating to law enforcement sound recordings.

Brief Description: Authorizing sound recordings without prior consent made in conjunction with video recordings from cameras mounted in law enforcement vehicles.

Sponsors: Representatives Delvin, Lovick, B. Chandler, Grant, Hankins, Lisk, Buck, Ballasiotes, O'Brien, Hurst, Talcott and Fortunato.

Brief Summary of Bill

- Authorizes sound recordings, without the consent of all parties, if made in conjunction with video recordings from cameras mounted in law enforcement vehicles.

HOUSE COMMITTEE ON JUDICIARY

Staff: Edie Adams (786-7180).

Background:

The state's Privacy Act generally prohibits the interception or recording of any private communication or conversation without the consent of all parties to the communication or conversation. There are several exceptions to this general prohibition, including exceptions allowing one-party consent in a variety of cases, and conditions under which a court may authorize the interception or recording.

In addition, there are many exceptions from the Privacy Act's provisions, including certain common carrier services; 911 services; police, fire, emergency medical service and poison centers when recording incoming calls; the Department of Corrections recording of inmate conversations; and video and sound recordings of arrested persons by police officers responsible for making arrests.

Communications or conversations that are intercepted or recorded without the consent of all parties are generally not admissible in court, except in limited circumstances.

Summary of Bill:

The Privacy Act's provisions prohibiting the interception or recording of a private communication or conversation without the consent of all parties do not apply to sound recordings made in conjunction with video images recorded by video cameras mounted in law enforcement vehicles. Such recordings are not inadmissible in court under the Privacy Act.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Office of Program Research